

Practitioner's Docket No. U 015816-2**CHAPTER II****IN THE UNITED STATES ELECTED OFFICE (EO/US)**

<u>PCT/NL03/00894</u>	<u>16 DECEMBER 2003</u>	<u>10 JANUARY 2003</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY CLAIMED
<u>PRINTING DEVICE FOR PRINTING CONICAL OBJECTS</u>		
TITLE OF INVENTION		
<u>Harrie VAN DIJK, Bram BERGSMA, Henk VAN DER VEN and Hielke MOLLEMA</u>		
APPLICANT(S)		

**Mail Stop16**

**Director of the United States Patent and Trademark Office**  
**P. O. Box 1450**  
**Alexandria, VA 22313-1450**

**ATTENTION: EO/US**

**REQUEST FOR REFUND (37 C.F.R. 1.28(a))**  
**FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE**  
**IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. 371**

**NOTE:** *37 C.F.R. § 1.28(a): "(a) Refund based on later establishment of small entity status. A refund pursuant to § 1.26, based on establishment of small entity status, of a portion of fees timely paid in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for a refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under § 1.136. Status as a small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."*

**I. SUBMISSION OF SMALL ENTITY STATEMENT****CERTIFICATION UNDER 37 C.F.R. 1.10\****(Express Mail label number is mandatory.)**(Express Mail certification is optional.)*

I hereby certify that this Request for Refund and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service, on this date, July 14, 2005 in an envelope as EXPRESS MAIL POST OFFICE TO ADDRESSEE" Mailing Label Number EV480460605US, addressed to the: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

CONNIE YANOTTI*(Type or print name of person mailing paper)*Connie Yannotti*Signature of person mailing paper*

*• Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(j). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

*(complete (a) or (b))*

(a)  Attached is a Statement or Written Assertion claiming small entity status in this application.

(b)  A Statement or Written Assertion claiming small entity status was filed in this application on

## II. REFUND REQUEST

This request for refund is made within three months of the date a fee was paid in this application on June 15, 2005 in the amount of \$ 900.00 .

### **III. FEES PAID FOR WHICH REFUND REQUESTED**

#### **IV. MANNER OF REFUND**

Crediting Account No. 12-0425  
 Refunding overpayment



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**SIGNATURE OF PRACTITIONER**

---

Reg. No. 25,858

WILLIAM R. EVANS

WILLIAM R. EVANS  
(type or print name of practitioner)

Tel. No.: (212) 708-1930

---

**P.O. Address**

Customer No. 00140

c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Harrie VAN DIJK, et al**

Serial No.: **10/539,096** Group No.: **---**

Filed: **June 15, 2005** Examiner: **--**

For: **PRINTING DEVICE FOR PRINTING CONICAL OBJECTS**

Attorney Docket No.: **U 015816-2**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**WRITTEN ASSERTION OF SMALL ENTITY STATUS**

This is written assertion on the basis of:

personal knowledge;  
 applicant's letter of \_\_\_\_\_;  
 applicant's agent's letter of July 13, 2005; or  
 other \_\_\_\_\_

by a practitioner (not necessarily of record) that the above application is entitled to small entity status and, therefore, fees.

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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. 1.8(a)**

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**37 C.F.R. 1.10\***

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**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office, to **(703) 872-9306**

Date: July 14, 2005

Signature

*Harrie Van Dijk*

*(type or print name of person certifying)*

**\*WARNING:** *Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).*

*"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

**NOTE:** "To establish small entity status after the payment of the basic filing or national stage fee as a non-small entity, a written assertion of small entity status is required to be submitted." Notice of September 8, 2000, 65 Fed. Reg. 54604, at 54609.

**NOTE:** 37 C.F.R. § 1.27(c)(1): "Assertion by writing. Small entity status may be established by a written assertion of entitlement to small entity status. A written assertion must:

- (i) Be clearly identifiable;
- (ii) Be signed (see paragraph (c)(2) of this section); and
- (iii) Convey the concept of entitlement to small entity status, such as by stating that applicant is a small entity, or that small entity status is entitled to be asserted for the application or patent. While no specific words or wording are required to assert small entity status, the intent to assert small entity status must be clearly indicated in order to comply with the assertion requirement."

**NOTE:** 37 C.F.R. § 1.27(c)(2): "Parties who can sign and file the written assertion. The written assertion can be signed by:

- (i) One of the parties identified in § 1.33.(b) (e.g. an attorney or agent registered with the Office). § 3.73(b) of this chapter notwithstanding, who can also file the written assertion;
- (ii) At least one of the individuals identified as an inventor (even though a § 1.63 executed oath or declaration has not been submitted), notwithstanding § 1.33(b)(4), who can also file the written assertion pursuant to the exception under § 1.33(b) of this part; or
- (iii) An assignee of an undivided part interest, notwithstanding §§ 1.33(b)(3) and 3.73(b) of this chapter, but the partial assignee cannot file the assertion without resort to a party identified under § 1.33(b) of this part."

**35 C.F.R. § 1.33(b):**

(b) *Amendment and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:*

- (1) *A registered attorney or agent of record appointed in compliance with § 1.34(b);*
- (2) *A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);*
- (3) *An assignee as provided for under § 3.71(b) of this chapter; or*
- (4) *All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.*

Respectfully submitted,

  
WILLIAM R. EVANS

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26 West 61<sup>st</sup> Street

New York, N. Y. 10023

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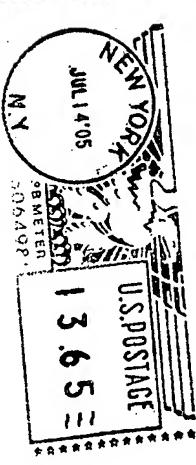
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